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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 JEFFREY SCOTT ZIEGLER,

11 Petitioner,

12 v.

13 RON HAYES,

14 Respondent.

Case No. C18-5511-RJB-TLF

**AMENDED ORDER ADOPTING
REPORT AND
RECOMMENDATION**

15 The Court, having reviewed the report and recommendation, the petition for writ of
16 federal *habeas corpus* relief, objections to the Report and Recommendation, if any, and the
17 remaining record, does hereby find and ORDER:

- 18 (1) The Court adopts the Report and Recommendation.
- 19 (2) Petitioner's 28 U.S.C. § 2254 petition (Dkt. 1-1) is **DISMISSED WITHOUT
PREJUDICE**.
- 20 (3) A certificate of appealability is denied in this case.
- 21 (4) Petitioner's application to proceed *in forma pauperis* (Dkt. 1) is denied as moot.
- 22 (5) The Clerk is directed to send copies of the Ninth Circuit Court of Appeals Form
23 12 –Application for Leave to File Second or Successive Petition Under 28 U.S.C.
§ 2254 or Motion Under 28 U.S.C. § 2255 and a copy of Ninth Circuit Rule 22-3.
- 24 (6) The Clerk is also directed to send copies of this Order to petitioner.
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1 Dated this 20th day of November, 2018.

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4 ROBERT J. BRYAN
5 United States District Judge
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